

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMOTHY A. DeWITT,
Plaintiff,

No. C 15-05261 WHA

v.

CALIFORNIA CITIZENS
REDISTRICTING COMMISSION, a
California agency, ALEX PADILLA,
Secretary of the State of California, and
DOES 1 through 100,

**ORDER GRANTING
LEAVE TO FILE AN
AMENDED COMPLAINT**


Defendants.

An order *sua sponte* dismissed all of plaintiff's claims and allowed him to seek leave to amend only his sixth claim for vote dilution. Plaintiff filed a motion for leave to amend, but his proposed amended complaint included all of the claims that had been dismissed without leave to amend along with amendments to the sixth claim. Accordingly, plaintiff's motion was denied. Plaintiff has filed a new motion for leave to file an amended complaint that omits the claims that had been dismissed without leave and omits the defendants named in those claims. Plaintiff's motion for leave to file an amended complaint is hereby **GRANTED**. Plaintiff may serve the remaining defendants. This is without prejudice to a Rule 12 motion filed by the defendants.

The Court will not rule on plaintiff's motion to appoint a three-judge panel until, if ever, the defendants have been properly served and have had an opportunity to respond to the motion.

IT IS SO ORDERED.

Dated: March 14, 2016.


WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE